

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

| | | |
|----------------------------------|---|---------------------------------------|
| CONSTITUTION PIPELINE | : | |
| COMPANY, LLC | : | |
| | : | |
| Plaintiff, | : | |
| | : | CIVIL ACTION |
| v. | : | |
| A PERMANENT EASEMENT FOR 0.89 | : | Case No. <u>3:14-cv-02093-NAM-RFT</u> |
| ACRES, PERMANENT ACCESS | : | |
| EASEMENT FOR 0.59 ACRES AND | : | Electronically Filed |
| TEMPORARY EASEMENTS FOR 1.02 | : | |
| ACRES IN AFTON, CHENANGO COUNTY, | : | |
| NEW YORK, TAX PARCEL NUMBER | : | |
| 295.-1-5.2, | : | |
| PIETRO PENNELLA, et al. | : | |
| | : | |
| Defendants. | : | |
| | : | |

ORDER

AND NOW, this 19th day of February, 2015, upon consideration of Plaintiff's Omnibus Motion for Preliminary Injunction for Possession of Rights of Way by February 16, 2015 Pursuant to the Natural Gas Act and Federal Rules of Civil Procedure 71.1 and 65, and the documents and arguments submitted in reference thereto, the Motion is hereby GRANTED and:

- (a) Upon filing the bond required below, beginning February 16, 2015, Plaintiff Constitution Pipeline Company, LLC ("Constitution") is granted access to, possession of and entry to the following Rights of Way:
 1. A permanent right of way and easement, containing 0.89 acres, as described as "Area of Permanent Right of Way" in Exhibit A attached hereto, for the purpose of constructing, operating, maintaining, altering, repairing, changing the size of, replacing and removing a pipeline and all related equipment and appurtenances thereto (including but not limited to meters, fittings, tie-overs, valves, cathodic protection equipment and launchers and receivers) for the transportation of natural gas, or its byproducts, and other substances as approved by the Federal Energy Regulatory Commission pursuant to the Natural Gas Act and the Order of

the Federal Energy Regulatory Commission dated December 2, 2014, Docket Nos. CP13-499-000 and CP13-502-000, 149 FERC ¶ 61,199 (2014); together with all rights and benefits necessary or convenient for the full enjoyment or use of the right of way and easement. Defendants shall have a right of ingress and egress across the permanent right of way, but Defendants shall not build any permanent structures on said permanent right of way or any part thereof, shall not change the grade of said permanent right of way, or any part thereof, shall not plant trees on said permanent right of way, or any part thereof, or use said permanent right of way or any part thereof for a road, or use said permanent right of way or any part thereof in such a way as to interfere with Plaintiff's immediate and unimpeded access to said permanent right of way, or otherwise interfere with Plaintiff's lawful exercise of any of the rights herein granted without first having obtained Plaintiff's approval in writing, and Defendants will not permit others to do any of said acts without first having obtained Plaintiff's approval in writing, except that the landowner may construct a single driveway that crosses the permanent right of way perpendicularly after providing reasonable notice to Plaintiff provided that Defendants do not excavate or change the grade of the permanent right of way during construction of said driveway. Plaintiff shall have the right to cut the driveway if necessary to access the pipeline, but will restore the driveway to its original condition. Within the permanent right of way, Plaintiff shall also have the right from time to time at no additional cost to Defendants to cut and remove all trees including trees considered as a growing crop, all undergrowth and any other obstructions that may injure, endanger or interfere with the construction and use of said pipeline and all related equipment and appurtenances thereto.

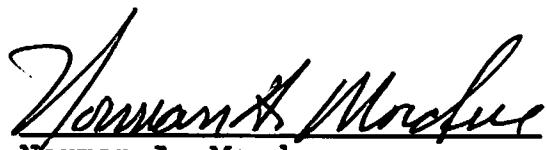
2. A permanent access easement, containing 0.59 acres, as described as "Area of Permanent Access Road" in Exhibit A attached hereto, for the purpose of constructing, operating, maintaining, altering and repairing an access road for ingress, egress and regress to Plaintiff's permanent right of way and easement and its natural gas transmission pipeline together with a right of way and easement to construct, maintain, operate, repair, alter, replace and remove cathodic protection equipment and the necessary appurtenances thereto, such as but not limited to poles, guy wires, anchors, rectifiers, power lines, cables, deep well anode and anode ground beds, in the permanent access easement as approved by the Federal Energy Regulatory Commission pursuant to the Natural Gas Act and the Order of the Federal Energy Regulatory Commission dated December 2, 2014, Docket Nos. CP13-499-000 and CP13-502-000, 149 FERC ¶ 61,199 (2014); together with all rights and benefits necessary or convenient for the full enjoyment or use of the right of way and easement. Further, Defendants shall not excavate, change the grade of or place any water impoundments or structures on the easement without the written consent of Plaintiff.

3. Temporary easements of 1.02 acres, as described as "Area of Temporary Workspace" and "Area of Additional Temporary Workspace" in Exhibit A attached hereto, for use during the pipeline construction and restoration period only for the purpose of ingress, egress and regress and to enter upon, clear off and use for construction and all activities required by the Order of the Federal Energy Regulatory Commission dated December 2, 2014, Docket Nos. CP13-499-000 and CP13-502-000, 149 FERC ¶ 61,199 (2014).

(b) Constitution shall post a bond in the amount of \$24,000.00 as security for the payment of just compensation to Defendants.

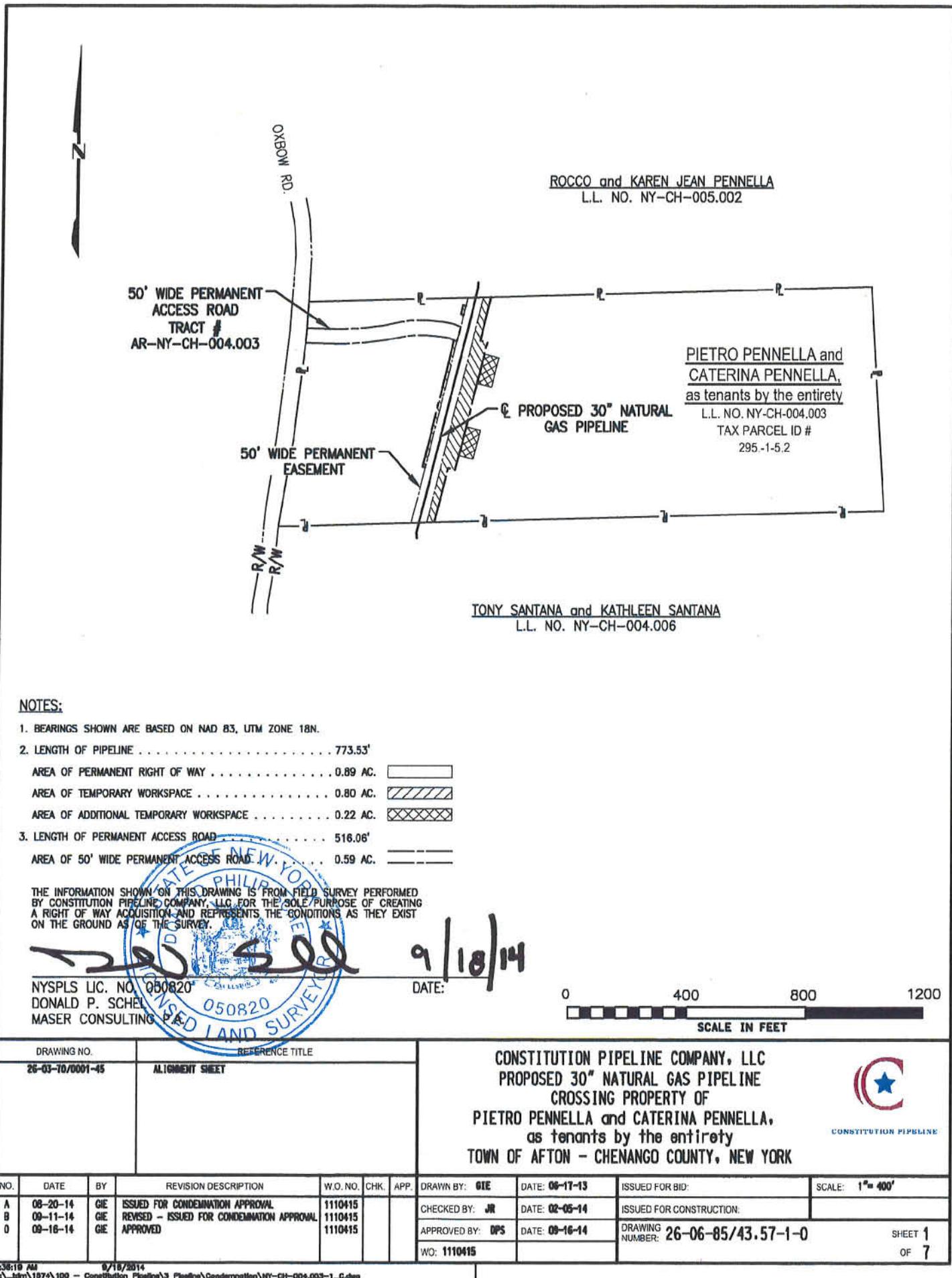
(c) Constitution shall record this Order in the County Clerk's Office of Chenango County, New York.

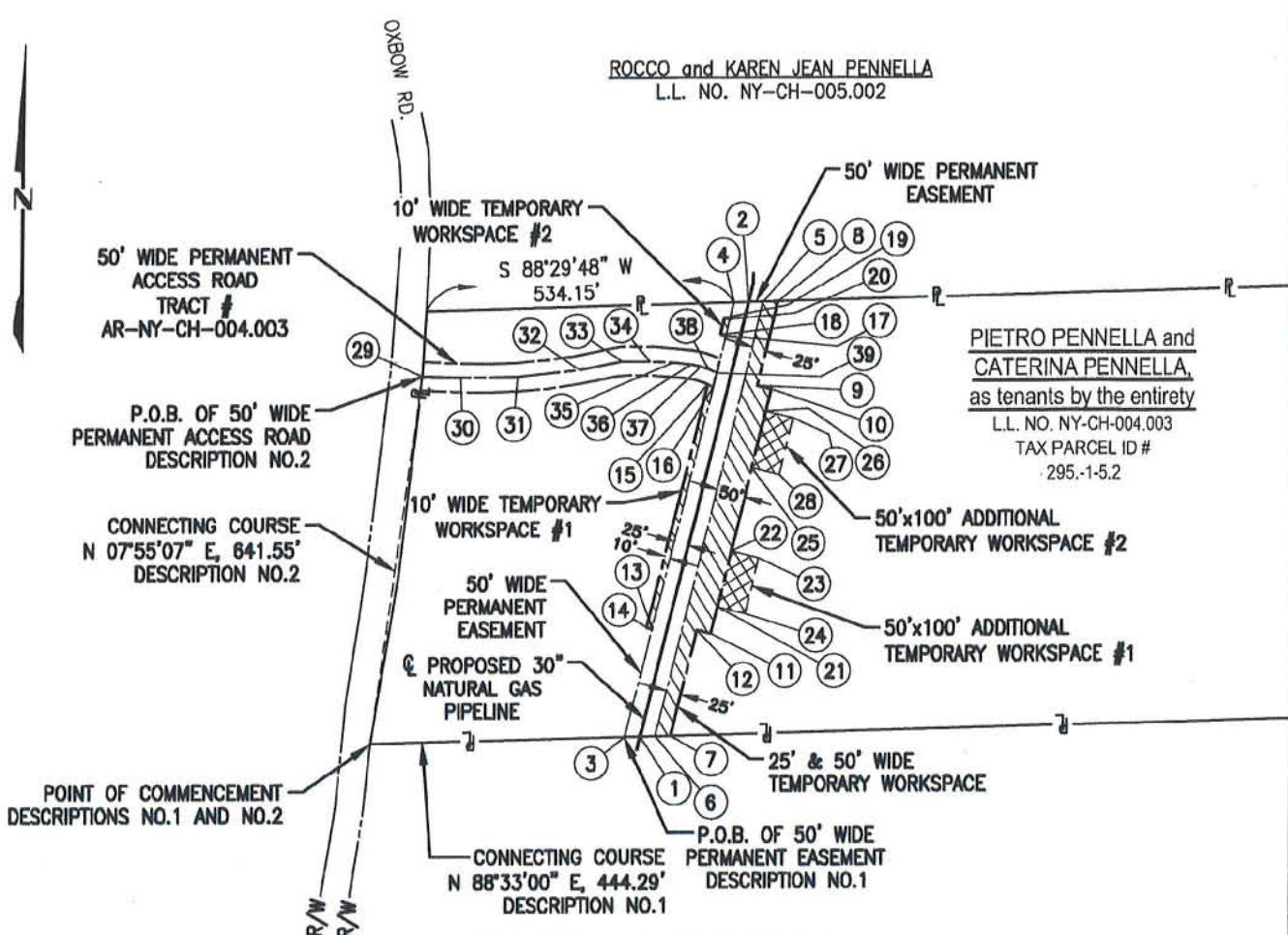
IT IS SO ORDERED.



Norman A. Mordue
Senior U.S. District Judge

EXHIBIT A



NOTES:

1. BEARINGS SHOWN ARE BASED ON NAD 83, UTM ZONE 18N.
2. LENGTH OF PIPELINE 773.53'
3. LENGTH OF PERMANENT ACCESS ROAD 516.06'
4. AREA OF PERMANENT RIGHT OF WAY 0.89 AC.
5. AREA OF TEMPORARY WORKSPACE 0.80 AC.
6. AREA OF ADDITIONAL TEMPORARY WORKSPACE 0.22 AC.
7. AREA OF 50' WIDE PERMANENT ACCESS ROAD 0.59 AC.

THE INFORMATION SHOWN ON THIS DRAWING IS FROM FIELD SURVEY PERFORMED
BY CONSTITUTION PIPELINE COMPANY, L.L.C. FOR THE SOLE PURPOSE OF CREATING
A RIGHT OF WAY ACQUISITION AND REPRESENTS THE CONDITIONS AS THEY EXIST
ON THE GROUND AS OF THE SURVEY.



DATE:
9/10/14

0 300 600 900
SCALE IN FEET



CONSTITUTION PIPELINE

| DRAWING NO. | | | REFERENCE TITLE | | CONSTITUTION PIPELINE COMPANY, LLC PROPOSED 30" NATURAL GAS PIPELINE CROSSING PROPERTY OF PIETRO PENNELLA and CATERINA PENNELLA, as tenants by the entirety TOWN OF AFTON - CHENANGO COUNTY, NEW YORK | | | | | | |
|------------------|----------|-----|--|--|--|------|------|-------------------------|-----------------------|---|-------------------------------|
| 26-03-70/0001-45 | | | ASSIGNMENT SHEET | | | | | | | | |
| NO. | DATE | BY | REVISION DESCRIPTION | | W.O. NO. | CHK. | APP. | DRAWN BY: GIE | DATE: 06-17-13 | ISSUED FOR BID | SCALE: 1"= 300' |
| A | 08-20-14 | GIE | ISSUED FOR CONDEMNATION APPROVAL | | 1110415 | | | CHECKED BY: JR | DATE: 06-22-13 | ISSUED FOR CONSTRUCTION: | |
| B | 09-11-14 | GIE | REVISED - ISSUED FOR CONDEMNATION APPROVAL | | 1110415 | | | APPROVED BY: DPS | DATE: 09-16-14 | DRAWING NUMBER: 26-06-85/43.57-2-0 | SHEET 2 OF 7 |
| O | 09-16-14 | GIE | APPROVED | | 1110415 | | | WO: 1110415 | | | |

C PROPOSED 30" NATURAL GAS PIPELINE

| <u>POINT #</u> | <u>BEARING</u> | <u>DISTANCE</u> |
|----------------|----------------|-----------------|
| 1-2 | N 13°50'35" E | 773.53' |

50' WIDE PERMANENT EASEMENT

| <u>POINT #</u> | <u>BEARING</u> | <u>DISTANCE</u> |
|----------------|----------------|-----------------|
| 3-4 | N 13°50'35" E | 773.50' |
| 4-5 | N 88°29'48" E | 51.85' |
| 5-6 | S 13°50'35" W | 773.55' |
| 6-3 | S 88°33'00" W | 51.84' |

25' & 50' WIDE TEMPORARY WORKSPACE

| <u>POINT #</u> | <u>BEARING</u> | <u>DISTANCE</u> |
|----------------|----------------|-----------------|
| 6-5 | N 13°50'35" E | 773.55' |
| 5-8 | N 88°29'48" E | 25.92' |
| 8-9 | S 13°50'35" W | 149.27' |
| 9-10 | S 76°09'25" E | 25.00' |
| 10-11 | S 13°50'35" W | 436.88' |
| 11-12 | N 76°09'25" W | 25.00' |
| 12-7 | S 13°50'35" W | 187.42' |
| 7-6 | S 88°33'00" W | 25.92' |

10' WIDE TEMPORARY WORKSPACE #1

| <u>POINT #</u> | <u>BEARING</u> | <u>DISTANCE</u> |
|----------------|----------------|-----------------|
| 13-14 | N 76°09'25" W | 10.00' |
| 14-15 | N 13°50'35" E | 433.68' |
| 15-16 | S 64°34'02" E | 10.21' |
| 16-13 | S 13°50'35" W | 431.63' |

10' WIDE TEMPORARY WORKSPACE #2

| <u>POINT #</u> | <u>BEARING</u> | <u>DISTANCE</u> |
|----------------|----------------|-----------------|
| 17-18 | N 76°09'25" W | 10.00' |
| 18-19 | N 13°50'35" E | 29.21' |
| 19-20 | S 76°09'25" E | 10.00' |
| 20-17 | S 13°50'35" W | 29.21' |

50'x100' ADDITIONAL TEMPORARY WORKSPACE #1

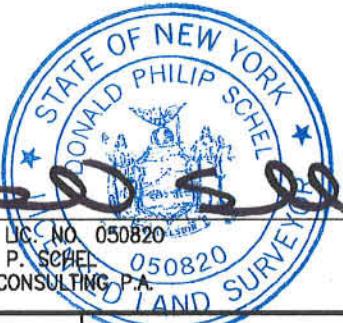
| <u>POINT #</u> | <u>BEARING</u> | <u>DISTANCE</u> |
|----------------|----------------|-----------------|
| 21-22 | N 13°50'35" E | 100.00' |
| 22-23 | S 76°09'25" E | 50.00' |
| 23-24 | S 13°50'35" W | 100.00' |
| 24-21 | N 76°09'25" W | 50.00' |

50'x100' ADDITIONAL TEMPORARY WORKSPACE #2

| <u>POINT #</u> | <u>BEARING</u> | <u>DISTANCE</u> |
|----------------|----------------|-----------------|
| 25-26 | N 13°50'35" E | 100.00' |
| 26-27 | S 76°09'25" E | 50.00' |
| 27-28 | S 13°50'35" W | 100.00' |
| 28-25 | N 76°09'25" W | 50.00' |

C 50' WIDE PERMANENT ACCESS ROAD

| <u>POINT #</u> | <u>BEARING</u> | <u>DISTANCE</u> |
|----------------|----------------|-----------------|
| 29-30 | S 88°00'09" E | 68.48' |
| 30-31 | N 89°05'47" E | 98.93' |
| 31-32 | N 83°26'39" E | 107.64' |
| 32-33 | N 78°25'12" E | 75.82' |
| 33-34 | S 89°00'54" E | 47.70' |
| 34-35 | S 87°23'13" E | 39.26' |
| 35-36 | S 82°43'11" E | 31.33' |
| 36-37 | S 78°56'32" E | 17.15' |
| 37-38 | S 70°52'03" E | 14.16' |
| 38-39 | S 66°02'47" E | 15.58' |



DATE:

9/18/14

NYSPLS LIC. NO. 050820
DONALD P. SCHEEL 050820
MASER CONSULTING P.A.

CONSTITUTION PIPELINE COMPANY, LLC
PROPOSED 30" NATURAL GAS PIPELINE
CROSSING PROPERTY OF
PIETRO PENNELL and CATERINA PENNELL,
as tenants by the entirety
TOWN OF AFTON - CHENANGO COUNTY, NEW YORK



CONSTITUTION PIPELINE

| DRAWING NO. | REFERENCE TITLE |
|-------------|-----------------|
| 26-03-70/0 | ALIGNMENT SHEET |

| NO. | DATE | BY | REVISION DESCRIPTION | W.O. NO. | CHK. | APP. | DRAWN BY: GIE | DATE: 06-17-13 | ISSUED FOR BID: | SCALE: <u>None</u> |
|-----|------|----|----------------------|----------|------|------|------------------|----------------|------------------------------------|--------------------|
| | | | | | | | CHECKED BY: JR | DATE: 06-22-13 | ISSUED FOR CONSTRUCTION: | |
| | | | | | | | APPROVED BY: DPS | DATE: 06-16-14 | DRAWING NUMBER: 26-06-85/43.57-3-0 | SHEET 3 OF 7 |
| | | | | | | | WO: 1110415 | | | |

**DESCRIPTION FOR THE PROPOSED 50' PERMANENT EASEMENT
ACROSS PROPERTY OF
PIETRO PENNELLA and CATERINA PENNELLA,
as tenants by the entirety
TAX PARCEL ID # 295-1-5.2
DEED BOOK 781, PAGE 508
LOCATED IN TOWN OF AFTON
CHENANGO COUNTY, NEW YORK**

Commencing at a point in the South boundary line of the aforementioned parcel, said point being the Southwest corner of the aforementioned parcel and the Point of Commencement; thence along the South boundary line of said parcel, N 88°33'00" E a distance of 444.29 feet to a point, said point being the Point of Beginning;

Thence, N 13°50'35" E a distance of 773.50 feet to a point located in the division between lands of Pietro Pennella and Caterina Pennella to the South and lands of Rocco and Karen Jean Pennella to the North;

Thence along said division line, N 88°29'48" E a distance of 51.85 feet to a point;

Thence through the lands of Pietro Pennella and Caterina Pennella, S 13°50'35" W a distance of 773.55 feet to a point in said South boundary line of the aforementioned parcel;

Thence along said South boundary line, S 88°33'00" W a distance of 51.84 feet to the Point of Beginning containing 0.89 acre.

All this is more fully shown on Drawing No. 26-06-85/43.57-1 thru 7 entitled "Constitution Pipeline Company, LLC – Property of Pietro Pennella and Caterina Pennella, as tenants by the entirety— Located in Town of Afton, — Chenango County, New York" dated September 16, 2014.

NYSPLS LIC. NO. 050820
DONALD P. SCHEL
MASER CONSULTING P.A.



DATE:

9/18/14

DESCRIPTION NO. 1



**CONSTITUTION PIPELINE COMPANY, LLC
PROPOSED 30" NATURAL GAS PIPELINE
CROSSING PROPERTY OF
PIETRO PENNELLA and CATERINA PENNELLA,
as tenants by the entirety
TOWN OF AFTON - CHENANGO COUNTY, NEW YORK**

| DRAWING NO. | | | REFERENCE TITLE | | | | CONSTITUTION PIPELINE COMPANY, LLC PROPOSED 30" NATURAL GAS PIPELINE CROSSING PROPERTY OF PIETRO PENNELLA and CATERINA PENNELLA, as tenants by the entirety TOWN OF AFTON - CHENANGO COUNTY, NEW YORK | | | | |
|------------------|----------|-----|--|----------|------|------|--|----------------|------------------------------------|-------------|--|
| 26-06-85/0001-45 | | | ALIGNMENT SHEET | | | | DRAWN BY: GIE | DATE: 06-17-13 | ISSUED FOR BID: | SCALE: NONE | |
| NO. | DATE | BY | REVISION DESCRIPTION | W.O. NO. | CHK. | APP. | CHECKED BY: JR | DATE: 06-22-13 | ISSUED FOR CONSTRUCTION: | | |
| A | 06-20-14 | GIE | ISSUED FOR CONDEMNATION APPROVAL | 1110415 | | | APPROVED BY: DPS | DATE: 06-16-14 | DRAWING NUMBER: 26-06-85/43.57-4-0 | SHEET 4 | |
| B | 09-11-14 | GIE | REVISED - ISSUED FOR CONDEMNATION APPROVAL | 1110415 | | | WO: 1110415 | | | OF 7 | |
| O | 09-16-14 | GIE | APPROVED | 1110415 | | | | | | | |

DESCRIPTION FOR THE 25' & 50' TEMPORARY WORKSPACE

Beginning at a point in the South boundary line of the aforementioned parcel, said point being located N 88°33'00" E a distance of 51.84 feet from the said Point of Beginning for the Proposed 50' Permanent Easement;

Thence, N 13°50'35" E a distance of 773.55 feet to a point located in the division line between the lands of Pietro Pennella and Caterina Pennella to the South and lands of Rocco and Karen Jean Pennella to the North;

Thence along said division line, N 88°29'48" E a distance of 25.92 feet to a point;
Thence through the lands of Pietro Pennella and Caterina Pennella, S 13°50'35" W a distance of 149.27 feet to a point;

Thence, S 76°09'25" E a distance of 25.00 feet to a point;
Thence, S 13°50'35" W a distance of 436.88 feet to a point;
Thence, N 76°09'25" W a distance of 25.00 feet to a point;
Thence, S 13°50'35" W a distance of 187.42 feet to a point
Thence, S 88°33'00" W a distance of 25.92 feet to the Point of Beginning containing 0.69 acre.

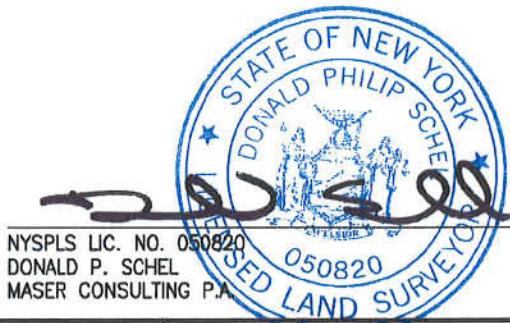
The 0.69 acre being part of the 0.80 acre total as shown on Sheet 1 of 7, "Area of Temporary Workspace".

DESCRIPTION FOR THE 10' TEMPORARY WORKSPACE #1

Beginning at a point located N 13°50'35" E a distance of 191.52 feet from the said Point of Beginning for the Proposed 50' Permanent Easement;

Thence, N 76°09'25" W a distance of 10.00 feet to a point;
Thence, N 13°50'35" E a distance of 433.68 feet to a point;
Thence, S 64°34'02" E a distance of 10.21 feet to a point;
Thence, S 13°50'35" W a distance of 431.63 feet to the Point of Beginning containing 0.10 acre.

The 0.10 acre being part of the 0.80 acre total as shown on Sheet 1 of 7, "Area of Temporary Workspace".



DATE:

9/18/14

| DRAWING NO. | REFERENCE TITLE | | | CONSTITUTION PIPELINE COMPANY, LLC PROPOSED 30" NATURAL GAS PIPELINE CROSSING PROPERTY OF PIETRO PENNELLA and CATERINA PENNELLA, as tenants by the entirety TOWN OF AFTON - CHENANGO COUNTY, NEW YORK | | | | | | | |
|------------------|-----------------|-----|--|--|------|------|------------------|----------------|------------------------------------|--|--|
| 26-03-70/0001-45 | | | ALIGNMENT SHEET | | | | | | |  CONSTITUTION PIPELINE | |
| NO. | DATE | BY | REVISION DESCRIPTION | W.O. NO. | CHK. | APP. | DRAWN BY: GIE | DATE: 06-17-13 | ISSUED FOR BID: | SCALE: NONE | |
| A | 06-20-14 | GIE | ISSUED FOR CONDEMNATION APPROVAL | 1110415 | | | CHECKED BY: JR | DATE: 06-22-13 | ISSUED FOR CONSTRUCTION: | | |
| B | 09-11-14 | GIE | REVISED - ISSUED FOR CONDEMNATION APPROVAL | 1110415 | | | APPROVED BY: DPS | DATE: 09-16-14 | DRAWING NUMBER: 26-06-85/43.57-5-0 | SHEET 5 OF 7 | |
| O | 09-16-14 | GIE | APPROVED | 1110415 | | | WO: 1110415 | | | | |

DESCRIPTION FOR THE 10' TEMPORARY WORKSPACE #2

Beginning at a point located N 13°50'35" E a distance of 715.17 feet from the said Point of Beginning for the Proposed 50' Permanent Easement;

Thence, N 76°09'25" W a distance of 10.00 feet to a point;
 Thence, N 13°50'35" E a distance of 29.21 feet to a point;
 Thence, S 76°09'25" E a distance of 10.00 feet to a point;
 Thence, S 13°50'35" W a distance of 29.21 feet to the Point of Beginning containing 0.01 acre.

The 0.01 acre being part of the 0.80 acre total as shown on Sheet 1 of 7, "Area of Temporary Workspace".

DESCRIPTION FOR THE 50' x 100' ADDITIONAL TEMPORARY WORKSPACE #1

Beginning at a point located N 35°09'50" E a distance of 275.03 feet from the said Point of Beginning for the Proposed 50' Permanent Easement;

Thence, N 13°50'35" E a distance of 100.00 feet to a point;
 Thence, S 76°09'25" E a distance of 50.00 feet to a point;
 Thence, S 13°50'35" W a distance of 100.00 feet to a point;
 Thence, N 76°09'25" W a distance of 50.00 feet to the Point of Beginning containing 0.11 acre.

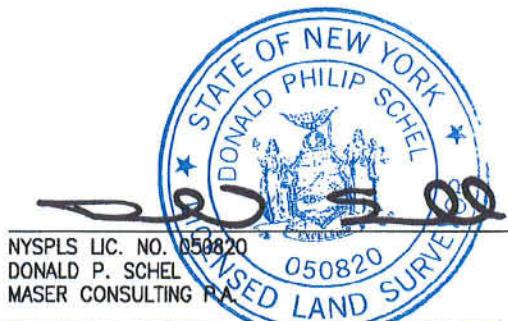
The 0.11 acre being part of the 0.22 acre total as shown on Sheet 1 of 7, "Area of Additional Temporary Workspace".

DESCRIPTION FOR THE 50' x 100' ADDITIONAL TEMPORARY WORKSPACE #2

Beginning at a point located N 25°01'45" E a distance of 515.48 feet from the said Point of Beginning for the Proposed 50' Permanent Easement;

Thence, N 13°50'35" E a distance of 100.00 feet to a point;
 Thence, S 76°09'25" E a distance of 50.00 feet to a point;
 Thence, S 13°50'35" W a distance of 100.00 feet to a point;
 Thence, N 76°09'25" W a distance of 50.00 feet to the Point of Beginning containing 0.11 acre.

The 0.11 acre being part of the 0.22 acre total as shown on Sheet 1 of 7, "Area of Additional Temporary Workspace".



DATE: 9/18/14

CONSTITUTION PIPELINE COMPANY, LLC
 PROPOSED 30" NATURAL GAS PIPELINE
 CROSSING PROPERTY OF
 PIETRO PENNELLA and CATERINA PENNELLA,
 as tenants by the entirety
 TOWN OF AFTON - CHENANGO COUNTY, NEW YORK



CONSTITUTION PIPELINE

| DRAWING NO. | | | REFERENCE TITLE | | | | CONSTITUTION PIPELINE COMPANY, LLC PROPOSED 30" NATURAL GAS PIPELINE CROSSING PROPERTY OF PIETRO PENNELLA and CATERINA PENNELLA, as tenants by the entirety TOWN OF AFTON - CHENANGO COUNTY, NEW YORK | | | | |
|------------------------------------|----------|-----|--|--|----------|------|--|----------------|-----------------|--------------------------|--|
| 26-03-70/0001-15 | | | ALIMENT SHEET | | | | DRAWN BY: GIE | DATE: 06-17-13 | ISSUED FOR BID: | SCALE: NONE | |
| NO. | DATE | BY | REVISION DESCRIPTION | | W.O. NO. | CHK. | APP. | CHECKED BY: JR | DATE: 06-22-13 | ISSUED FOR CONSTRUCTION: | |
| A | 06-20-14 | GIE | ISSUED FOR CONDEMNATION APPROVAL | | 1110415 | | | | | | |
| B | 08-11-14 | GIE | REVISED - ISSUED FOR CONDEMNATION APPROVAL | | 1110415 | | | | | | |
| O | 09-16-14 | GIE | APPROVED | | 1110415 | | | | | | |
| | | | | | | | | | | | |
| DRAWING NUMBER: 26-06-85/43.57-6-0 | | | | | | | | | | SHEET 6 OF 7 | |

DESCRIPTION FOR THE 50' WIDE PERMANENT ACCESS ROAD AR-NY-CH-004.003
 ACROSS PROPERTY OF
 PIETRO PENNELLA and CATERINA PENNELLA,
 as tenants by the entirety
 TAX PARCEL ID # 295-1-5.2
 DEED BOOK 781, PAGE 508
 LOCATED IN TOWN OF AFTON
 CHENANGO COUNTY, NEW YORK

Commencing at a point in the West boundary line of the aforementioned parcel of land, said point being the Southwest corner of the aforementioned parcel of land and Point of Commencement; thence along said boundary line, N 07°55'07" E a distance of 641.55 feet to a point, said point being the Point of Beginning and Centerline of the herein described 50 foot Access Road, with the outside edge of said road lying 25 feet, Parallel and Contiguous, Northerly and Southerly of the said Centerline;

Thence, S 88°00'09" E a distance of 68.48 feet to a point;

Thence, N 89°05'47" E a distance of 98.93 feet to a point;

Thence, N 83°26'39" E a distance of 107.64 feet to a point;

Thence, N 78°25'12" E a distance of 75.82 feet to a point;

Thence, S 89°00'54" E a distance of 47.70 feet to a point;

Thence, S 87°23'13" E a distance of 39.26 feet to a point;

Thence, S 82°43'11" E a distance of 31.33 feet to a point;

Thence, S 78°56'32" E a distance of 17.15 feet to a point;

Thence, S 70°52'03" E a distance of 14.16 feet to a point;

Thence, S 66°02'47" E a distance of 15.58 feet to the Point of Termination containing 0.59 acre.

All this is more fully shown on Drawing No. 26-06-85/43.57-1 thru 7 entitled "Constitution Pipeline Company, LLC - Property of Pietro Pennella and Caterina Pennella - Located in Town of Afton, - Chenango County, New York" dated September 16, 2014.



DATE: 9/18/14

DESCRIPTION NO. 2



CONSTITUTION PIPELINE

CONSTITUTION PIPELINE COMPANY, LLC
 PROPOSED 30" NATURAL GAS PIPELINE
 CROSSING PROPERTY OF
 PIETRO PENNELLA and CATERINA PENNELLA,
 as tenants by the entirety
 TOWN OF AFTON - CHENANGO COUNTY, NEW YORK

| DRAWING NO. | | | REFERENCE TITLE | | | | CONSTITUTION PIPELINE COMPANY, LLC PROPOSED 30" NATURAL GAS PIPELINE CROSSING PROPERTY OF PIETRO PENNELLA and CATERINA PENNELLA, as tenants by the entirety TOWN OF AFTON - CHENANGO COUNTY, NEW YORK | | | | |
|------------------|----------|-----|--|--|----------|------|--|------------------|----------------|------------------------------------|--------------------------|
| 26-03-70/0001-45 | | | ALIGNMENT SHEET | | | | DRAWN BY: | GIE | DATE: 06-17-13 | ISSUED FOR BID: | SCALE: NONE |
| NO. | DATE | BY | REVISION DESCRIPTION | | W.O. NO. | CHK. | APP. | CHECKED BY: | JR | DATE: 06-22-13 | ISSUED FOR CONSTRUCTION: |
| A | 06-20-14 | GIE | ISSUED FOR CONDEMNATION APPROVAL REVISED - ISSUED FOR CONDEMNATION APPROVAL APPROVED | | 1110415 | | | APPROVED BY: DPS | DATE: 08-16-14 | DRAWING NUMBER: 26-06-85/43.57-7-0 | SHEET 7 OF 7 |
| B | 09-11-14 | GIE | | | 1110415 | | | | | | |
| C | 09-16-14 | GIE | | | 1110415 | | | | | | |
| | | | | | | | | | | | |